IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO. 777 OF 2004

CONNECTED WITH

COMPANY APPLICATION NO. 427 OF 2004

In the matter of the Companies Act, 1956;

And

In the matter of Sections 100 to 104 of the Companies Act, 1956;

And

In the matter of the reduction of the Capital of Tetra Pak India Private Limited.

Tetra Pak India Pvt. Ltd., .. Petitioner.

Mr. Rishabh Shah i/by Crawford Bayley & Co. for the petitioner.

CORAM : S.U.KAMDAR, J.

DATE : 15th MARCH, 2005.

P.C.

. The present petition is for reduction of

capital by setting off the reserve account out of the balance sanding at the credit of the share capital account against writing off the accumulated losses since the share capital has been eroded by losses as mentioned in paragraph 9 of the petition. An additional affidavit has been filed dated 18.3.2005 inter alia stating that out of 166 unsecured creditors, 146 have given their consent in writing and remaining 22 creditors are paid off. Thus, all the secured and unsecured creditors are consented the same. In view thereof, the company petition is granted in terms of prayer clauses (a) and (b).